

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34257 of 2017

Arising Out of PS.Case No. -63 Year- 2009 Thana -MATIHANI District- BEGUSARAI

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Natho Bind @ Natho Mahton @ Natho Singh Nishad, Son of Late Mishri Mahton, Resident of Village - Janjira Dumra (Fatakba Tola), Anchal - Mokama, P.S. - Maranchi, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 10-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Matihani P.S. Case No. 63 of 2009, registered under Sections 395 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Begusarai.

The accusation is that Nandan Mahto driver of tractor of informant was ploughing the field of informant Ram Ashray Singh, where Sibbu Mahto was present. At that time, 10 to 12 unknown persons forcibly took away his tractor. Nandan Mahto and Sibbu Mahto also disclosed the physique of the culprits as detailed in the F.I.R.



Learned counsel for the petitioner submits that the petitioner is not named the F.I.R. In course of investigation, his name has surfaced on the basis of confessional statement of Jang Bahadur Mahto and till today nothing has been recovered from possession of the petitioner.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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